



DEPARTMENT OF STATE

Washington D.C. 20520

JUN 2 - 1987

STAT

[Redacted]
Foreign Broadcast Information Service
P.O. Box 2604
Washington, D.C. 20013

Dear [Redacted]

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Reference is made to your request concerning State Department certifying officers.

Our certifying officers stationed around the world perform their duties under responsibilities imposed by the act entitled "To fix the responsibilities of disbursing and certifying officers, and for other purposes," approved December 29, 1941, as amended, 31 U.S.C. 82c and 82f.

This act provides that the officer or employee certifying a voucher for payment shall:

(1) be held responsible for the existence and correctness of the facts recited in the certificate or otherwise stated on the voucher or its supporting papers; for the legality of the proposed payment under the appropriation or fund involved; and for the correctness of the computations therein; xxx, and

(3) be held accountable for and required to make good to the United States the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate made by him, as well as for any payment prohibited by law or which did not represent a legal obligation under the appropriation or fund involved.

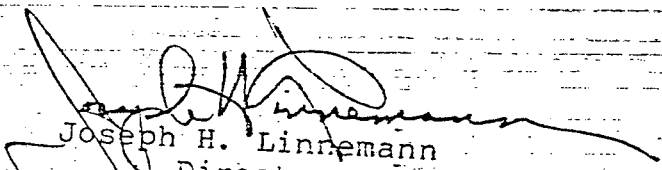
The Department operates under an administrative regulation similar to that noted by your office, i.e. the Department will hold an administrative officer liable in approving improper payments (4 FAM 414.2). However, this in no way affects the certifying officers' responsibility for examining all the facts in making the final administrative decision before a payment can be made. The Comptroller General has consistently ruled that GAO will look only to the certifying officers for reimbursement of an erroneous payment regardless of administrative regulations covering other officers.

State Dept. review completed

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In view of the above, I don't see how we can legally approve any other system than the one presently in operation (4 FAM 416).

Sincerely,



Joseph H. Linnemann

Director

Office of Financial Systems